

# ATTACHMENT A

## RESOLUTION NO. - 10

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLEASANT HILL DIRECTING THE ZONING ADMINISTRATOR AND CODE ENFORCEMENT OFFICER TO TEMPORARILY SUSPEND ENFORCEMENT OF SECTION 18.60.050 F. PERTAINING TO TEMPORARY PORTABLE, FREE-STANDING SIGNS LOCATED ON PRIVATE PROPERTY THAT MEET SPECIFIED CRITERIA

WHEREAS, the current economic climate is extremely challenging for the local business community, and particularly for business in the retail and dining sectors, and Downtown Pleasant Hill and other areas designated primarily for retail business use that are experiencing a higher vacancy rate and turnover in tenants; and

WHEREAS, vacant spaces in Downtown and in other areas designated for retail business uses translate into lost employment, lost tax revenues and lost shopping or dining opportunities for visitors and local residents; and

WHEREAS, additional temporary, portable, free-standing signage may attract customers to existing retail businesses in Downtown and in other areas designated primarily for retail business which would benefit those businesses and provide increased tax revenue to the City; and

WHEREAS, authorizing the Zoning Administrator and Code Enforcement Officer to temporarily suspend enforcement of City regulations limiting or prohibiting such temporary, portable, free standing signs, provided that such signs conform to specified criteria concerning design, placement, location and related matters, should help to support and expand business activity in the Downtown and other areas designated primarily for retail business within the City.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Pleasant Hill, hereby directs the Zoning Administrator and Code Enforcement Officer to temporarily suspend enforcement of PHMC Section 18.60.050 F. pertaining to temporary, portable, free-standing signs that meet all of the criteria specified below:

1. **Size:** (a) For signs located along the outside perimeter of a shopping center parking lot, that are directed primarily toward passing motorists, a maximum of 8.5 square feet of sign area per side, "a-frame" or "h-frame" configuration, not to exceed an overall height of 42 inches above ground level, consistent with the specifications for such signs established by the Zoning Administrator; and (b) for signs located within 5 feet of a storefront or outdoor seating area, that are directed primarily toward pedestrians, the sign shall not exceed an overall height of 42 inches above grade and shall not exceed an area of 6 square feet on each side with a design/configuration consistent with the specifications for such signs established by the Zoning Administrator. Any signs within the Downtown must also be consistent with the Downtown Master Sign Program and Tenant Design Guidelines approved by the Architectural Review Commission on February 4, 2010.

2. **Location:** Signs shall: (a) be located on private property (not on a public street, sidewalk or other public property) unless within the Downtown Specific Plan area where signs may be approved within the public right of way subject to approval of an encroachment permit by the City Engineer; (b) be located at least 12 inches from the property line (except for the Downtown Specific Plan area where such signs may be located within five feet of a storefront or outdoor seating area in front of the store the sign is advertising); (c) be located outside of any required vision safety zone (see code sections 18.55.130 and 18.50.100); (d) not obstruct any required parking space or required ADA access; (e) only be allowed within the Retail Business (RB) or Neighborhood Business (NB) zone districts, or within the boundaries of the Downtown or Contra Costa Center Specific Plan areas.
3. **Spacing:** For “a-frame” or “h-frame” signs located on private property along the outside perimeter of a business site or shopping center parking area, not more than one sign per 100 feet of property frontage or fraction thereof. For pedestrian oriented signs located within 5 feet of a storefront and directly in front of the store the sign is advertising, not more than one sign per business storefront and not closer than 10 feet to a free-standing sign placed by the adjacent business.
4. **Appearance:** Design/materials shall comply with the specifications for such signs established by the Zoning Administrator. The sign shall be constructed of weather proof and wind resistant materials such as painted wood or metal and shall have a finished appearance. Each sign shall advertise for a single business or tenant only. Signs shall not have any attachments (e.g. balloons, flags, pamphlets, etc.) and shall not be illuminated. Signs may be single sided or double-sided. Any sign within the Downtown Specific Plan area shall also comply with the applicable provisions of the Downtown Master Sign Program and Tenant Design Guidelines approved by the Architectural Review Commission on February 4, 2010.
5. **Maintenance:** Sign shall be maintained so that it is safe (placed and designed so that it will not topple over) and not unsightly or in disrepair.
6. **Installation:** Sign shall be anchored to the ground and/or be wind resistant using a method approved by the Zoning Administrator. Signs shall not be attached to, or painted on, a vehicle or trailer, or fence or wall, of any kind.
7. **Prohibited Text:** Text of sign shall not include telephone numbers or websites or any other text, symbols or colors determined to be a traffic hazard by the City Engineer.
8. **Not a Nuisance:** Sign shall not become a public nuisance or hazard due to its appearance, location, or for any other reason as determined by the City’s Code Enforcement officer.

9. **Permit/Plan:** Prior to installation of the sign, a "no fee" temporary sign permit waiver shall be obtained by the business owner from the Planning Division to ensure that any temporary portable sign installed shall be in compliance with these requirements. A plan indicating the location and design of the proposed sign shall be provided to the Planning Division by the business owner with the request for the temporary sign permit waiver.
10. **Duration:** Any temporary portable free-standing sign placed on the property under the provisions of this resolution may remain on the property only for the length of time that this resolution is in effect and shall be removed promptly after the expiration of this resolution.
11. **Number:** Not more than one temporary portable free-standing sign shall be allowed per business/tenant, except in conjunction with a special event or promotion, with the advance approval of the Zoning Administrator.
12. **Compliance Agreement:** Prior to installation of the sign, property owner and business owner shall sign an Agreement to comply with these requirements and to properly maintain the sign so that it does not become a public nuisance. The Agreement shall also authorize the City's Code Enforcement Officer to remove the sign if at any time it is not in compliance with all of the requirements of this resolution. Failure to meet all of the above criteria shall result in enforcement of the regulations and can subject the owner/business operator to fines or other code enforcement action.

This direction to the Zoning Administrator and Code Enforcement Officer to temporarily suspend enforcement of specified provisions of the Municipal Code shall remain in effect through January 1, 2011 unless modified, revoked or extended by the City Council.

ADOPTED by the City Council, City of Pleasant Hill, on the 7th day of June, 2010,  
by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

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KAREN MITCHOFF, MAYOR

ATTEST:

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MARTY C. McINTURF, City Clerk

APPROVED AS TO FORM:



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DEBRA S. MARGOLIS, City Attorney